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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

March 10, 1993

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**Via Federal Express**

The Honorable Donna R. Searcy, Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

**FCC - MAIL ROOM**

Re: MM Docket No. 93-26  
Bowdon, Georgia FM Channel 288A

Dear Ms. Searcy:

Enclosed please find an original and six copies of a Petition for Voluntary Dismissal filed herewith on behalf of our client in the above-referenced matter, Jeffrey P. Davis. Also enclosed is an additional copy of the Petition to be returned to us in the enclosed postage paid, self-addressed envelope after it has been date stamped by your office.

Should you or any members of your staff have questions concerning the enclosed, please contact the undersigned for clarification. Thank you for your cooperation in this matter.

Very truly yours,

MCCAMPBELL & YOUNG, P.C.

By: Robert S. Stone

Robert S. Stone

RSS/dlb  
Enclosures

cc: Mr. Jeffrey P. Davis  
Service List

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**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In re Applications of	)	MM Docket No. 93-26
	)	
SPECTRUM BROADCASTING CO.	)	File No. BPH-911031MC
	)	
STEVEN L. GRADICK	)	File No. BPH-911031MD
	)	
JEFFREY P. DAVIS	)	File No. BPH-911031ME
	)	
TERRY C. JENKS	)	File No. BPH-911031MF
	)	
	)	
	)	
For Construction Permit for a	)	
New FM Station on Channel 288A	)	
in Bowdon, Georgia	)	

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To: Richard L. Sippel  
Administrative Law Judge

**PETITION FOR VOLUNTARY DISMISSAL**

Jeffrey P. Davis ("Davis") by counsel, and pursuant to § 73.3525 of the Commission's rules, hereby respectfully requests the dismissal, with prejudice, of his application in the above-captioned proceeding. The attached Declaration of the applicant, an individual, includes the request by the applicant for the dismissal of his application and confirmation that Davis has not entered into an agreement with any competing applicant in the proceeding calling for the dismissal of his application. Rather, as set forth in his Declaration, Davis is requesting the dismissal of his application based upon a sale of WBTR-FM, Carrollton, Georgia, which sale includes a non-compete agreement which would preclude his operation of the Bowdon, Georgia station.

DATED this 10th day of March, 1993.

Respectfully Submitted,

JEFFREY P. DAVIS

MCCAMPBELL & YOUNG, P.C.  
Attorney for Jeffrey P. Davis

By:   
Robert S. Stone

MCCAMPBELL & YOUNG  
A Professional Corporation  
2021 Plaza Tower  
Post Office Box 550  
Knoxville, Tennessee 37901-0550  
(615) 637-1440

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## DECLARATION

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I, Jeffrey P. Davis, do hereby declare under penalty of perjury that the following is true and correct based upon my personal knowledge:

1. I am an applicant for a construction permit for a new FM broadcast station to serve Bowdon, Georgia on FM Channel 288A (File No. BPH-911031ME).

2. I am herewith requesting the dismissal by the Commission of the above-described application for Bowdon, Georgia FM Channel 288A. This will confirm that I have not entered into any agreement with any competing applicant for Bowdon, Georgia FM Channel 288A to procure a removal of the conflict between my application and any of the competing applications for Bowdon, Georgia FM Channel 288A.

3. My application was not filed for the purpose of reaching or carrying out a settlement agreement. I am requesting the dismissal of my application as a result of the sale of WBTR-FM, Carrollton, Georgia by Reliance Broadcasting, Inc., of which I am an officer, director, and shareholder. Pursuant to the above sale, I have entered into a non-compete agreement covering Carroll County, Georgia which would preclude my operation of a station on Bowdon, Georgia Channel 288A.

Executed on: March 8, 1993

  
\_\_\_\_\_  
JEFFREY P. DAVIS

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing Petition for Voluntary Dismissal has been served, this 10th day of March, 1993, upon all counsel or parties as listed below at interest in this cause by delivering a true and exact copy to the offices of said counsel or parties or by placing a copy in the United States mail addressed to said counsel or parties at his/her office, with sufficient postage to carry it to its destination, or by special overnight courier.

The Honorable Richard L. Sippel  
Administrative Law Judge  
Federal Communications Commission  
2000 L Street, N.W., Room 214  
Washington, D.C. 20036

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Federal Communications Commission  
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